

Billy Seales

October 6, 2016

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

BRITTNEY MCDOUGLE, INDIVIDUALLY, AND
ON BEHALF OF THE HEIRS AND WRONGFUL
DEATH BENEFICIARIES OF MICHAEL D.
MCDOUGLE, SR., DECEASED, AND THE
ESTATE OF MICHAEL MCDOUGLE,
THROUGH MARY MCDOUGLE, ADMINISTRATOR
OF ESTATE

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:15CV350-CWR-FKB

NESHOBA COUNTY, MS, SHERIFF TOMMY WADDELL,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES,
CITY OF PHILADELPHIA, MS, CHIEF GRANT MEYERS,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES,
AND OFFICERS BRAD CROCKETT, ERIC LOWDNES,
BRAD POE, AND "JOHN DOES 1-6", ALL IN THEIR
INDIVIDUAL AND OFFICIAL CAPACITIES

DEFENDANTS

ORAL DEPOSITION OF

BILLY SEALES

OCTOBER 6, 2016

Volume 1 of 1

EXHIBIT

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1 I had held him down and everything, the handcuffs.

2 Q Help me with this. So you -- how tall are
3 you?

4 A I'm six-foot tall.

5 Q And how much do you weigh?

6 A Well, back then I wasn't weighing -- I
7 just got out of the hospital, and I was weighing 129
8 then.

9 Q Okay. And so you were able to control
10 D'Angelo by yourself at first?

11 A Yeah. Because he knowed -- I guess he
12 knowed me or whatever.

13 Q Okay.

14 A He just was laying down there breathing
15 (making inaudible sounds). I said, "Man, are you
16 all right?" I said, "Man's what's wrong with you,
17 son? Baby, what's wrong with you? (Making
18 inaudible sounds). He was just breathing like that
19 right there. And when the police came and he looked
20 and seen that police suit, and when he told me to
21 let him up, it was on then. Took him off that
22 porch, and that's how he got that -- he hit that --
23 the grill right there. The grill was right there
24 and I had a -- I had a Suburban right there; my
25 brother's white Suburban. He took him off the porch

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1 and he hit his head on that -- on that grill, man.

2 They went off that -- both of them -- broke my grill
3 down.

4 Q You saw that yourself?

5 A Yeah.

6 Q So --

7 A I'm like that right there, man.

8 Q -- D'Angelo hit his head on the grill --

9 A Yeah.

10 Q -- as he fell off the porch --

11 A Yeah. Just went --

12 Q -- with Lyons?

13 A Yes.

14 Q Okay. Did you see a knot on his head?

15 A No. But I know that -- I know I got my
16 grill broke down and my screen door and my -- my
17 bolt -- I mean, my door -- my bolt lock door. He
18 broke that off too and busted it, man. That's just
19 -- it's just --

20 Q Did your father -- did your girlfriend's
21 father have a fight with him when he came in the
22 door?

23 A He ain't got but one leg, and he's got a
24 pacemaker too, man.

25 Q Okay.

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1 Q And get you out of here.

2 A Yes, man. Because I -- I've got to go --
3 really, it's not really big, but my mother is --
4 she's got -- I've got to go help her clean the
5 church up and stay out there. So I always help her
6 do stuff.

7 Q So when Mr. McDougle came to your house,
8 he busted the screen door off the frame; is that
9 right?

10 A No. Busted in the -- busted through the
11 screen?

12 Q Through the screen?

13 A Come through the -- come in there through
14 the screen.

15 Q When you said he busted your dead bolt?

16 A Yeah. That's right. I had it locked and
17 he busted my deadlock blot.

18 Q So the deadbolt was engaged and he busted
19 in through the door?

20 A Busted it wide open.

21 Q And the house was occupied; right?

22 A That's right.

23 Q And you didn't want him there?

24 A No.

25 Q And you -- so you had -- who called 911?

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1 A My wife did or my girlfriend did. My girl
2 -- yeah. Yeah. My girlfriend did or my wife.

3 Q And the police came because you called
4 911?

5 A That's right.

6 Q All right.

7 A I needed some -- I needed some help, man.
8 I needed somebody to come get this guy, this young
9 man.

10 Q When Mr. McDougle, you said, took Eric off
11 the porch; right?

12 A Yeah.

13 Q Did -- at any point did Eric punch him?

14 A No. No, man.

15 Q Did Eric kick him?

16 A No, man. No.

17 Q Okay.

18 A No, man. I wouldn't let that happen no
19 way. That's why I was there.

20 Q He was trying to hold him down; right?

21 A Yeah. He was trying to handcuff him.

22 Q And then you came and helped?

23 A Yeah. I came and put the handcuffs over
24 him and gave his radio to him.

25 Q And you mentioned that they -- that they

1 hit a grill on the way down?

2 A Yeah. That's where I had a grill right
3 there on the front of the porch right there.

4 Q Was it a gas grill or a --

5 A No.

6 Q -- charcoal?

7 A It was a charcoal grill.

8 Q About how much did it weigh?

9 A I don't know. I got it from Fred's Dollar
10 Store.

11 Q Okay. About five pounds? Ten pounds?

12 A Yeah, about five pounds.

13 Q About five pounds. Okay. And you
14 mentioned that you didn't see any knots on
15 Mr. McDougale's head.

16 A No.

17 Q Would you have seen one if there was a
18 knot, like say, on his forehead?

19 A Yeah, because I had my porch light on.
20 Yeah.

21 Q Okay.

22 A I probably would have. Yeah.

23 Q But you saw his forehead and you didn't
24 see any knots?

25 A Huh-uh. No.

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1 Q Okay. Did Eric do anything improper?

2 A No, man. No, man. He needed some help to
3 do something proper. He needed some help. I had to
4 get his handcuffs and his doggone -- and his radio.

5 Q After he got him handcuffed, how long was
6 it before they put him in the car?

7 A I would say about 15 or 20 minutes.

8 Q Okay.

9 A Because that -- because that Crockett boy
10 came. Officer Crockett came.

11 Q And what were they doing during that time?

12 A They was trying to get him -- he was
13 already handcuffed then. They was trying to stand
14 him up.

15 Q Okay.

16 A And then he started hollering again, so
17 they carried him --

18 Q To the car?

19 A -- they carried him to the car. Two on
20 each side.

21 Q After they put him in the car, how long
22 was it before they left?

23 A Oh, instantly. They left and they went --
24 they went on and left. They went on and left.

25 Q You mentioned you had seen people on spice

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1 before; right?

2 A Yeah. Up there. Yeah. Uh-huh.

3 Q Have you seen anybody act in a similar way
4 on spice?

5 A They act differently. All of them act
6 different except that -- they've got some stuff
7 called hoodoo. They've got the stuff -- all kind of
8 stuff that will make you do different things. Some
9 of them make you -- cause them to make them bark
10 like dogs, and some make them holler like a gorilla.

11 Q Have you seen it -- had you seen
12 Mr. McDougle on crack before?

13 A No.

14 Q You hadn't?

15 A But I know he was doing drugs because they
16 had just got him from rehab. They didn't want him
17 to stay -- they got him out of rehab. They should
18 have let him just stay in the rehab. But he begged
19 them until they got him out of rehab, man, and --

20 Q Okay.

21 A And that's what -- they had him down in
22 rehab. They should have let him stay down there,
23 but he cried and begged them. When he came back,
24 begged them to come get him out. They got him out
25 because he said he was just going to smoke weed and

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1 cigarettes, and they didn't know he was -- and, you
2 know, he wasn't going to do right. No. They should
3 have left him down there. He would still be living
4 right now.

5 Q After Eric got him handcuffed, did Eric go
6 back and kick him or punch him or --

7 A No, man. No.

8 Q Tase him?

9 A No. They ain't had time to punch nobody.
10 I know every -- I know him personally, and I'm
11 saying --

12 Q And you were there, though?

13 A Yeah, I was there. Yeah.

14 Q You saw that he did not do any of those
15 things?

16 A No. Yeah. No.

17 Q When Brad Crockett arrived, did he --

18 A No.

19 Q -- do any of those things?

20 A Man, it was all over with when Brad got
21 there. He was already in handcuffs.

22 Q So Brad didn't even touch him?

23 A No. He didn't even touch him.

24 Q Did any other police officers arrive after
25 that?

1 A Yeah, a whole a lot of them. Everybody.

2 Q Did anybody touch him?

3 A I ain't see nobody touch him, man.

4 Q Until they brought him to the car?

5 A They -- I didn't see them -- I didn't see
6 him. When left it -- left my house and went to that
7 car, ain't nobody touch that boy.

8 Q Okay.

9 MR. CHILDRESS: Nothing further.

10 A Nothing that I saw, didn't nobody touch
11 that boy.

12 MR. CHILDRESS: Nothing further.

13 A Because there was too many witnesses right
14 there, man. If he would have touched him, man,
15 everybody would have seen it, man, you know. Didn't
16 nobody touch him.

17 MR. CHILDRESS: All right. That's all I
18 have.

19 A And to tell the truth; shame the devil.

20 THE WITNESS: That's it?

21 MR. CHILDRESS: That's all for me. Steven
22 may have some.

23 THE WITNESS: Oh, Lord.

24 EXAMINATION

25